



DUP/RLS
#307

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 DEC 23 PM 3:15

Application No. : 10/701,070 Confirmation No. : 6313
Applicant : Peter HEINRICH, et al.
Filed : November 5, 2003
TC/A.U. : 1762
Examiner : Katherine BAREFORD
Docket No. : 038724.52851US
Customer No. : 23911
Title : Cooking Utensils with Thermally Sprayed Coating and
Method for The Production of Said Coating

REQUEST FOR REFUND

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On May 24, 2004, Applicants paid a two-month extension fee of \$420.00 as part of a response to a Notice to File Missing Parts. Applicants request a refund of this extension fee, as the Applicants' delay in responding to the Notice was unavoidable. The facts supporting Applicants' request are as follows:

- 1) The present application was originally filed on November 5, 2003.
- 2) After filing the application, Applicants received a return postcard indicating the serial number for the application on November 19, 2003. This was the only correspondence Applicants received regarding the application prior to May 20, 2004.

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- 3) On February 5, 2004, Applicants filed a Status Request for the Application, based on the fact that no correspondence had been received from the U.S. Patent and Trademark Office. Applicants did not receive a reply to this Status Request. A copy of the Status Request is also enclosed.
- 4) On May 5, 2004, Applicants filed a Second Status Request based on the fact that no correspondence had been received. Applicants did not receive a reply to the Second Status Request. A copy of the Second Status Request is also enclosed.
- 5) On May 20, 2004, Applicants contacted the U.S. Patent and Trademark Office by phone, and were informed of the Notice of Missing Parts having the mailing date of February 5, 2004. A copy of the Notice, along with the filing receipt, was faxed to Applicants.
- 6) During the May 20, 2004 phone conversation, Applicants verified that the Office has the correct mailing address for Applicants.
- 7) On May 24, 2004, Applicants filed a Reply to Notice of Missing Parts. Based on the mailing date of February 5, 2004, Applicants petitioned for a two-month extension. The required fee for the two-month extension was paid using check No. 267482. A copy of the fee transmittal, petition for extension of time, and the check are enclosed.

- 8) Applicants have a detailed docketing procedure to document and record all incoming correspondence from the U.S. Patent and Trademark Office. Applicants have no record of receiving the Notice of Missing Parts having the mailing date of February 5, 2004.

As detailed above, Applicants made reasonable and diligent efforts to inquire about the status of the above-referenced application. The Office has the correct mailing address for Applicants, so Applicants should have received any correspondence sent by the Office. Applicants also have a detailed docketing procedure to insure that all incoming correspondence is tracked and recorded. However, Applicants did not receive the Notice to File Missing Parts for the above-referenced matter.

Applicants request a refund of the two-month extension fee paid in response to the Notice to File Missing Parts having a mailing date of February 5, 2004. Based on the above, applicants' delay in responding to the Notice to File Missing Parts was unavoidable, as Applicants never received the Notice. Applicants were also diligent in following up with the Office when no correspondence was received. Thus, the delay in responding to the Notice occurred through no fault of the Applicants.

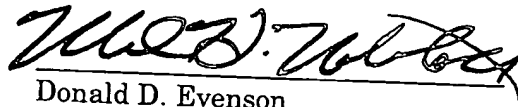
If there are any questions regarding this Request for Refund or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 10/701,070

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038724.52851US).

Respectfully submitted,

December 16, 2004



Donald D. Evenson
Registration No. 26,160
Lawrence E. Carter
Registration No. 51,532

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

DDE:MHN:rde

crowell|moring

1001 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004-2595



SUNTRUST
Washington, DC
65-270/550

267482

Check Date
05/21/04

Amount
\$420.00*****

Pay: FOUR HUNDRED TWENTY AND 00/100 USD

TO
THE
ORDER
OF

Commissioner of Patents and Trademarks

Washington
DC

20231

Michele M. Kinsella
Authorized Signature

⑈ 267482⑈ ⑆055002707⑆ ⑆000004897806⑈

⑈0000042000⑈

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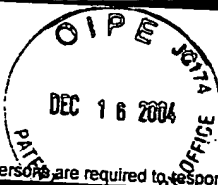


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PATENT AND TRADEMARK OFFICE
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U.S. TREASURY



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Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1320.00)

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 05-1323
Deposit Account Name: Crowell & Moring LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Charge any deficiency or credit any overpayments to the deposit account of the undersigned. Attorney Docket No. 038724.52851US

☐ Charge any additional fee(s) during the pendency of this application.

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description
1001	2001	770	385	Utility filing fee
1002	2002	340	170	Design filing fee
1003	2003	530	265	Plant filing fee
1004	2004	770	385	Reissue filing fee
1005	2005	160	80	Provisional filing fee

SUBTOTAL (1)

Fee Paid
770.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Indep. Claims	-20** =	x	=
Multiple Dependent	-3** =	x	=

Large Entity Fee Code

Small Entity Fee Code

Fee (\$)

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SUBTOTAL (2) \$0.00

**or number previously paid, if greater; For Reissues, see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code

Small Entity Fee Code

Fee (\$)

Fee (\$)

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Fee Description

Surcharge - late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Non-English specification

For filing a request for ex parte reexamination

Requesting publication of SIR prior to Examination action

Requesting publication of SIR after Examiner action

Extension for reply within first month

Extension for reply within second month

Extension for reply within third month

Extension for reply within fourth month

Extension for reply within fifth month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to Institute a public use proceeding

Petition to revive - unavoidable

Petition to revive - unintentional

Utility issue fee (or reissue)

Design issue fee

Plant issue fee

Petitions to the Commissioner

Processing fee under 37 CFR 1.17(a)

Submission of Information Disclosure Stmt

Recording each patent assignment per property (times number of properties)

Filing a submission after final rejection (37 CFR § 1.129(a))

For each additional invention to be examined (37 CFR § 1.129(b))

Request for Continued Examination (RCE)

Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

550.00

SUBMITTED BY

Name (Print/Type)

Donald D. Evenson
Lawrence E. Carter

Registration No.
(Attorney/Agent)

26,160
51,532

Telephone

202-624-2500

Signature

Lawrence E. Carter

Date

05/21/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/701,070
Applicant : Peter HEINRICH, et al.
Filed : November 5, 2003
TC/A.U. : 1762
Examiner : (Not yet assigned)
Docket No. : 038724.52851US
Customer No. : 23911
Title : Cooking Utensils with Thermally Sprayed Coating and Method
for The Production of Said Coating

Confirmation No. : 6313

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests that the period to take action in the above-captioned application be extended by two months pursuant to the provisions of 37 CFR § 1.136(a).

A check in the amount of \$420.00 is submitted herewith in payment of the required extension fee. This amount is believed to be correct, however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 05-1323 (Docket #038724.52851US). A duplicate copy of this letter is attached.

Respectfully submitted,

May 21, 2004

Donald D. Evenson
Registration No. 26,160
Lawrence E. Carter
Registration No. 51,532

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

DDE/LEC/acd



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/701,070
Applicant : Peter HEINRICH, et al.
Filed : November 5, 2003
TC/A.U. : To Be Assigned
Examiner : To Be Assigned
Docket No. : 038724.52851US
Customer No. : 23911
Title : COOKING UTENSILS WITH THERMALLY SPRAYED
COATING AND METHOD FOR THE PRODUCTION OF SAID
COATING

Confirmation No. :

**SECOND STATUS REQUEST FOR FILING RECEIPT AND NOTICE OF
MISSING REQUIREMENTS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

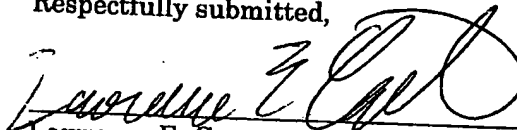
Sir:

The above-identified application was filed on November 5, 2003. Since that time, the only communication we have received from the U.S. Patent Office regarding the above-identified application is the stamped return postcard indicating the serial number for the application. Our records indicate that we have not received either 1) an Official Filing Receipt or 2) the Notice to File Missing Requirements in reference to the above-identified application. A copy of the postcard showing receipt of the application, date stamped by the U.S. Patent Office on November 5, 2003, is attached herewith. Please advise the undersigned of the status of the application.

It would be appreciated if the undersigned was telephoned in the event there are any questions related to this Status Request or the application in general.

Respectfully submitted,

May 5, 2004


Lawrence E. Carter
Registration No. 51,532

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
DDE:LEC:adb

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/701,070
Applicant : Peter HEINRICH, et al.
Filed : November 5, 2003
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Examiner : To Be Assigned
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COATING AND METHOD FOR THE PRODUCTION OF
SAID COATING

Confirmation No. :



STATUS REQUEST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Our records indicate that we have not received the Notice to File Missing Requirements in reference to the above-identified application since the filing of the application on November 5, 2003. A copy of the postcard date stamped by the U.S. Patent Office on November 5, 2003 is attached herewith. Please advise the undersigned of the status of the application.

It would appreciated if the undersigned, were telephoned in the event there are any questions related to this Request or the application in general.

Respectfully submitted,

February 5, 2004

A handwritten signature in dark ink, appearing to read "Donald D. Evenson".

Donald D. Evenson
Registration No. 26,160
Lawrence E. Carter
Registration No. 51,532

CROWELL & MORING, LLP
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Washington, DC 20044-4300
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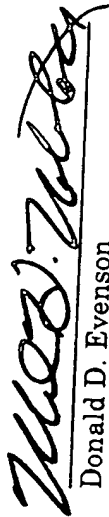
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Serial No. 10/701,070

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Respectfully submitted,

December 16, 2004



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Registration No. 26,160
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Washington, DC 20044-4300
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DDE:MHN:rde



DUP/REF
#307

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

201 DEC 23 PM 3:1

Application No. : 10/701,070
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Sir:

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- 1) The present application was originally filed on November 5, 2003.
- 2) After filing the application, Applicants received a return postcard indicating the serial number for the application on November 19, 2003. This was the only correspondence Applicants received regarding the application prior to May 20, 2004.

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